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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q79015

PELLETIER, Jerry, et al.

Appln. No.: 10/025,222

Group Art Unit: 1652

Confirmation No.: 4998

Examiner: D.J. Steadman

Filed: December 19, 2001

For: FRAGMENTS AND VARIANTS OF STAPHYLOCOCCUS AUREUS DNAG
PRIMASE, AND USES THEREOF

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please review and enter the following remarks summarizing the interview conducted on

August 24, 2004:

REMARKS

An Examiner's Interview Summary Record (PTO-413) was attached with the Office

Action dated October 28, 2004.

During the interview, the following was discussed:

1. Brief description of exhibits or demonstration: none.
2. Identification of claims discussed: all.
3. Identification of art discussed: O'Donnell et al and Benton et al (of record).
4. Identification of principal proposed amendments: change "derived" to isolated",

recite specific fragments, recite full-length polypeptides.

5. Brief Identification of principal arguments: different reading frames in the prior art, claims fully enabled and have adequate written description support.

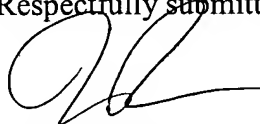
6. Indication of other pertinent matters discussed: examiner suggested submitting evidence that the skilled artisan would understand where to make changes to polypeptide without effecting activity.

7. Results of Interview: examiner stated he would consider any amendment filed in the case.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

It is believed that no petition or fee is required. However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



Drew Hissong
Registration No. 44,765

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: January 28, 2005



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STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please review and enter the following remarks summarizing the interview conducted on

August 31, 2004:

REMARKS

An Examiner's Interview Summary Record (PTO-413) was attached with the Office

Action dated October 28, 2004.

During the interview, the following was discussed:

1. Brief description of exhibits or demonstration: none.
2. Identification of claims discussed: all.
3. Identification of art discussed: none.
4. Identification of principal proposed amendments: delete "variants", define fragments by size, recite full-length polypeptides.

5. Brief Identification of principal arguments: claims fully enabled and have adequate written description support.

6. Indication of other pertinent matters discussed: relationship between the phrases “comprising” and “consisting essentially of”, size of fragments, % identity and % similarity claims.

7. Results of Interview: examiner stated he would consider any amendment filed in the case.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

It is believed that no petition or fee is required. However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

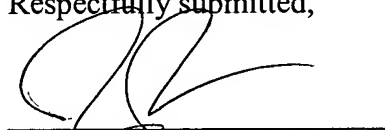
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Respectfully submitted,



Drew Hissong
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Date: January 28, 2005